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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

RODRIGUEZ, RUTH C

ART UNIT PAPER NUMBER

3677

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/623,641

Applicant(s)

ENEVOLDSEN, PER A.

Examiner

Ruth C Rodriguez

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-14 is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-11, 16, 17, 22-25, 29 and 30 is/are rejected.
- 7) ☒ Claim(s) 5-7, 15, 18-21 and 26-28 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/21/03 & 9/28/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statements filed 21 July 2003 and 28 September 2004 have been considered for this Office Action.

### ***Claim Objections***

2. Claim 11, 16 and 27 are objected to because of the following informalities:
3. Claim 11 recites the limitation "the threaded keeper" in the second line. There is insufficient antecedent basis for this limitation in the claim. For purpose of examination, it will be considered as a hinged keeper instead of a threaded keeper.
4. Claim 16, line 6, "a" should be deleted.
5. Claim 27, line 1, "16" should be changed to --26--.
6. Correction is required.

### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 2, 8, 10, 29 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Kanno (US 4,907,322).

A strand jewelry device comprises a strand (11), a connector assembly (14), at least one band (12,22) and at least one keeper (13,23a,23b). The strand has a first end and a second end (Fig. 3). The connector assembly reversibly couples the first end to the second end of the strand (Figs. 3 and 5). The at least one band fixedly attaches to the strand. The keeper interacts with the band to restrict the movement of a bead when the bead resides on the strand by reversible attachment of the band and the keeper (Figs. 3-6c).

A bore of the keeper is threaded and the band is threaded on an external surface (Figs. 4-6c). The threaded bore of the keeper and the threaded surface of the band interact to reversibly fix the threaded keeper on the strand (Figs. 4-6c).

The threaded keeper has any three-dimensional shape (Figs. 3-6c).

The threaded keeper has a cylindrical, spherical, cubic or pyramid shape (Figs. 3-6c).

A strand jewelry device comprises a strand (11), means for selectively configuring the strand as a loop (14), means for adapting a circumference of the band (13,23a,23b) and means for keeping beads on an area of the strand by interacting with the means for adapting (12,22).

The strand further comprises a plurality of decorative beads (19) positioned on the strand by the means for keeping.

9. Claims 1, 3, 4, 9, 11, 16, 17, 22-25, 29 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Kuhn (US 3,983,716).

A strand jewelry device comprises a strand (30), connector assembly (28,60,62), at least one band (28) and at least one keeper (60,62). The strand has a first end and a second end (Fig. 12). The connector assembly reversibly couples the first end to the second end of the strand (Fig. 12). The at least one band fixedly attaches to the strand (Figs. 4 and 12). The keeper interacts with the band to restrict the movement of a bead when the bead resides on the strand by reversible attachment of the band and the keeper (Figs. 4 and 12).

The keeper comprises two hollow sections (60,62) hinged together. Each section has two walls (Figs. 12-14). Each wall has a notch of depth approximating one half of the diameter of the strand (Figs. 13 and 14). The sections and the band interact when the hinged keeper engulfs the band and reversibly fixes the hinged keeper on the strand (Fig. 12).

The sections are reversibly secured in a closed position by a latch (64) attached to one section.

The hinged keeper has any three-dimensional shape (Figs. 12-14).

The hinged keeper has a cylindrical, spherical, cubic or pyramid shape (Figs. 12-14).

A strand of jewelry device comprises a strand (30), a connector (28,60,62) and at least one keeper (60,62). The strand has first end, a second end and at least one band (28) of variant cross-section with respect to adjacent portions of the strand that are

immediately adjacent to the band (Figs. 4 and 12). The connector assembly detachably couples the first end with the second end of the strand to configure the stand as a loop (Fig. 12). At least one keeper is selectively placed around the band (Fig. 12). The keeper has a bore of complementary dimensions with respect to the variant cross-section such that the keeper is retained in position at the band by abutment when installed on the band (Fig. 12). The keeper has sufficient outer dimensions to prevent the bead from moving across the keeper when the beads are installed on the strand (Fig. 12).

The strand further comprises at least one bead (30).

The keeper has a bivalve construction (60,62) for clamping around the band.

The bivalve construction comprises a hinge (61) pivotally connecting a first bivalve element with a second bivalve element and a latch (64) that connects the first bivalve element with the second bivalve element in the closed configuration that defines the bore (Figs. 12-14).

The bore comprises longitudinal notches running parallel with the strand (Fig. 13).

The strand presents a diameter and the longitudinal notches have a hemispherical construction approximating one half of the diameter of the strand (Fig. 13).

A strand jewelry device comprises a strand (30), means for selectively configuring the strand as a loop (28,60,62), means for adapting a circumference of the band (28) and means for keeping beads on an area of the strand by interacting with the means for adapting (36).

The strand further comprises a plurality of decorative beads (30) positioned on the strand by the means for keeping.

***Allowable Subject Matter***

10. Claims 12-14 allowed.

11. Claims 5-7, 15, 18-21 and 26-28 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sherman (US 1,510,421), Livingston (US 2,521,589), Yokochi (US 5,398,391), White (US 5,440,900), Sato (US 5,588,190) and Cheng (US 6,357,261) are cited to show state of the art with respect to strand jewelry devices having some of the features being claimed by the current application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C Rodriguez whose telephone number is (703) 308-1881. The examiner can normally be reached on M-F 07:15 - 15:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (703) 306-4115.

Submissions of your responses by facsimile transmission are encouraged. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Recognizing the fact that reducing cycle time in the processing and examination of patent applications will effectively increase the patent's term, it is to your benefit to submit responses by facsimile transmission whenever permissible. Such submission will place the response directly in our examining group's hands and will eliminate Post Office processing and delivery time as well as PTO's mailroom processing and delivery time. For a complete list of correspondence **not** permitted by facsimile transmission, see MPEP § 502.01. In general, most responses and/or amendments not requiring a fee, as well as those requiring a fee but charging such fee to a deposit account, can be submitted by facsimile transmission. Responses requiring a fee that the applicant is paying by check **should not be** submitted by facsimile transmission separately from the check.

Responses submitted by facsimile transmission should include a Certificate of Transmission (MPEP § 512). The following is an example of the format the certification might take:

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(Signature)

If your response is submitted by facsimile transmission, you are hereby reminded that the original should be retained as evidence of authenticity (37 CFR 1.4 and MPEP




§ 502.02). Please do not separately mail the original or another copy unless required by the Patent and Trademark Office. Submission of the original response or a follow-up copy of the response has been transmitted by facsimile will cause further unnecessary delays in the processing of your application, duplicate responses where fees are charged to a deposit account may result in those fees being charged twice.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ruth C. Rodriguez  
Patent Examiner  
Art Unit 3677

*RCR*  
rcr  
January 10, 2005

  
ROBERT J. SANDY  
PRIMARY EXAMINER